

**ASSEMBLY AMENDMENT 1,
TO 2005 ASSEMBLY BILL 594**

November 9, 2005 – Offered by Representative HUNDERTMARK.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 4: after “leases” insert “and providing a penalty”.

3 **2.** Page 3, line 6: after “gives” insert “, by mail,”.

4 **3.** Page 3, line 22: delete that line and substitute “notice, except that if the
5 customer has a right to cure under s. 425.105, the information required under par.
6 (a) shall be combined with the notice of right to cure under s. 425.104.”.

7 **4.** Page 3, line 22: after that line insert:

8 “(c) A merchant is presumed to have given notice under par. (a) if the merchant
9 sent the notice by certified or registered mail. A merchant who fails to give notice
10 under par. (a) by certified or registered mail is subject to the penalties specified in
11 s. 425.302 (1), but such failure does not constitute a failure to comply with s. 425.206
12 (1) (d).”.

1 **5.** Page 4, line 13: after that line insert:

2 “**SECTION 7m.** 425.2065 of the statutes is created to read:

3 **425.2065 Notice to law enforcement. (1)** In this section, “law enforcement
4 agency” means the police department, combined protective services department
5 under s. 61.66, or sheriff, that has primary responsibility for providing police
6 protection services in the city, village, or town in which a repossession is expected to
7 occur.

8 **(2)** A merchant who repossesses collateral or goods subject to a consumer lease
9 under s. 425.206 (1) (d), or a person who repossess the collateral or goods on behalf
10 of the merchant, shall notify, verbally or in writing, the law enforcement agency
11 about the repossession. The notification shall include the names of the customer,
12 merchant, and, if applicable, the person who repossesses the collateral or goods on
13 behalf of the merchant. The notification shall also include a description of the
14 collateral or goods. Notification under this subsection shall be made before, or no
15 later than one hour after, the repossession occurs.

16 **(3)** Failure to comply with this subsection does not constitute a failure to
17 comply with s. 425.206 (1) (d).”.

18 **6.** Page 5, line 14: after that line insert:

19 “**SECTION 8g.** 425.401 of the statutes is renumbered 425.401 (1) and amended
20 to read:

21 425.401 **(1)** ~~–A–~~ Except as provided in sub. (2), a person who willfully and
22 knowingly engages in any conduct or practice in violation of chs. 421 to 427 may be
23 fined not more than \$2,000.

24 **SECTION 8r.** 425.401 (2) of the statutes is created to read:

